

REMARKS

In the first Office Action, claims 1-48 were presented for examination. Of these, claims, claims 1, 8, 9, 21-23, 32, and 38 were objected to under 35 USC 112 on spelling/grammatical bases; claims 47 and 48 were objected to and indicated to be allowable if rewritten independent form; and, claims 42-26 were rejected under 35 USC 102. The drawings were also objected to as not showing outer boots, soft boots, and cuff members of different, prefabricated sizes. Objection was also made to not capitalizing the trademark VELCRO® in the specification.

With this amendment, the spelling/grammatical objections to claims 1, 8, 9, 21-23, 32, and 38 have been corrected. Additionally, the objected to claims 47 and 48 have been rewritten in independent form and rejected independent claim 42 has been amended. A new Figure 16(a) is also submitted to illustrate outer boots, soft boots, and cuff members of different, prefabricated sizes. Further, the correction of VELCRO® has been made.

Claims 1-39

Of these claims, claims 1, 8, 9, 21-23, 32, and 38 were objected to under 35 USC 112. In particular, it was pointed out by the Examiner that independent claims 1, 21, and 32 had a typographical error in which "boot" was inadvertently misspelled as "foot." In claims 8, 9, 22, 23, and 38, the Examiner suggested that a grammatical modification be made for clarity to insert "the" before "first mentioned fitting pad." These spelling and grammatical changes have been made and it is submitted neither of them is related to the patentability of these claims.

It is respectfully submitted that claims 1-39 are now in condition for allowance and such action is respectfully requested.

Objected To Claims 47-48

These claims were objected to in the first Office Action and indicated to be allowable if rewritten in independent form. With

this amendment, they have been rewritten in independent form and their allowance is respectfully requested.

Independent Claim 42
And Its Dependent Claims 43-46

Independent claim 42 was rejected in the first Office Action as being anticipated by US Patent No. 5,329,705 to Grim. This rejection is respectfully traversed as it might apply to independent claim 42 as currently amended herein.

More specifically, original independent claim 42 has been amended to set forth that the cuff member is a separate member from the soft boot and that the cuff member is infinitely, adjustably securable to the brace members vertically along a predetermined length of each brace member "in at least two positions spaced different distances from the soft boot." In contrast, Grim's cuff member and soft boot are one continuous piece 20 as illustrated in his Figure 2 and are not separate members that can be spaced different distances from each other.

It is respectfully submitted that amended independent claim 42 and its dependent claims 43-46 are in condition for allowance and such action is respectfully requested.

New Figure 16(a) Of The Drawings

The drawings were objected to as not showing outer boots, soft boots, and cuff members of different, prefabricated sizes.

With this amendment, a new Figure 16(a) is submitted to illustrate outer boots, soft boots, and cuff members of different, prefabricated sizes from those of, for example, Figure 16. No new matter is being added.

Wording additions to the specification have also been made consistent with the submission of new Figure 16(a).

SUMMARY

It is respectfully submitted that all of the claims now present in the case (claims 1-48) are in condition for allowance and such action is respectfully requested. If, in the opinion of the Examiner, prosecution of this application could be expedited by a telephone interview, the Examiner is respectfully requested to contact the attorney for the applicants at the telephone number listed below.

Respectfully submitted,

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